

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA**

ALLAN PETERSEN,

Plaintiff,

v.

**Civil Action No. 5:07cv53
(Judge Stamp)**

**R. TRYBUS;
N. JUNKINS;
ERIC ELZA;
MALLORY, Unicor Supervisor;
KOVCEK,**

Defendants.

ORDER DENYING MOTION TO AMEND

On April 25, 2007, the *pro se* plaintiff, Allan Peterson, a federal inmate, filed a Bivens action. On May 23, 2007, he filed a Motion requesting leave to amend the complaint. By order dated November 15, 2007, that Motion was granted as a matter of course pursuant to Rule 15(a) of the Federal Rules of Civil Procedure.

On June 13, 2007, the plaintiff filed a subsequent Motion requesting leave to amend the complaint. Upon review, it is identical to the Motion requesting leave to amend previously granted.

Therefore, the plaintiff's Motion to Amend (Doc.12) is **DENIED** as moot.

IT IS SO ORDERED.

The Clerk is directed to mail a copy of this Order to the plaintiff at his last known address

as reflected on the docket sheet.

DATED: November 16, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE